

today. One, this legislation does not represent the views of a majority of the American people, and two, this legislation is some of the most extreme abortion legislation in the world.

It is a little hard to believe we are having a vote on this bill again mere weeks after it was defeated in the Senate, but I guess when the abortion lobby calls, our Democrat colleagues come running.

The bill before us today, the so-called Women's Health Protection Act, would prop up the abortion industry and make abortion-on-demand—at any time, for essentially any reason—the law of the land.

My Democratic colleagues would like to convey the impression that, with this legislation, they are merely attempting to codify a widely held belief from which no reasonable American dissents. That is baloney. The American people don't even come close to supporting abortion-on-demand up until the moment of birth.

Gallup has been polling on abortion for decades. In all that time, the percentage of Americans who believe abortion should be legal under any circumstance has always remained under 35 percent. An Associated Press poll from this past June found that 65 percent of Americans believe that abortion should generally be illegal in the second trimester—or from about 13 weeks of pregnancy—while a whopping 80 percent of Americans believe that abortion should generally be illegal in the third trimester. Why? Well, I suspect it is because the American people are well aware that when we are talking about abortion, we are talking about the killing of human beings, innocent human beings, and that is not exactly something most Americans are comfortable with. Americans are used to defending the weak and the innocent, not killing. So it is not exactly surprising that Americans are not joining the Democratic Party and wholeheartedly embracing abortion up until the moment of birth.

Democrats do everything they can to run away from the humanity of the unborn baby, but they are fighting a losing battle because science and medical technology and plain old common sense all point inexorably to the humanity of the unborn child.

It is pretty hard to look at a fully formed baby on an ultrasound kicking her feet and sucking her thumb and think she is anything but a human being. Once you have acknowledged the self-evident truth that baby is a human being, it is pretty hard to argue that she shouldn't be protected. So it is no surprise that, almost 50 years after Roe, Americans still do not wholeheartedly embrace abortion.

In addition to being totally out of step with the American mainstream, Democrats' "Abortion on Demand Act" is also far outside the mainstream of abortion law globally. Thirty-nine of the forty-two European countries that allow elective abortion limit such

abortions to 15 weeks or earlier. Thirty-two of those countries limit elective abortion to at or before 12 weeks' gestation. Meanwhile, Democrats here in the U.S. Senate want to enshrine abortion-on-demand up until the moment of birth.

Thanks to Roe v. Wade, our country is already outside the global mainstream when it comes to protecting unborn human beings. In fact, we are currently one of just a tiny handful of countries in the world that allow elective abortions past 20 weeks of pregnancy. Who is on that list among those other countries? China, North Korea—not exactly the kind of company we want to be keeping when it comes to defending human rights.

But the so-called Women's Health Protection Act is even more extreme than Roe. Not only would it allow abortion through all 40 weeks of pregnancy, it would sweep away almost every commonsense restriction that has been upheld since Roe—parental notification, informed consent, waiting periods. All of those would be gone under Democrats' abortion-on-demand bill. Plus, it would open the door to Federal funding of abortion, forcing Americans who oppose abortion to subsidize it with their tax dollars—something that has been bipartisan consensus, again, for decades in this country.

Furthermore, under this legislation, conscience protections for doctors and hospitals who do not want to perform abortions would be in jeopardy. The Democratic leader has suggested that this bill would not jeopardize the right of Catholic hospitals to refuse to perform abortions. I would like to believe it, but it is pretty hard to do so when this bill removes the right to invoke the Religious Freedom Restoration Act as a defense.

The Religious Freedom Restoration Act, of course, is a 1993 law passed by Congress to ensure that Americans' constitutional right to live in accordance with their religious beliefs is protected. That law was actually sponsored by the Democratic leader—back, I should add, when the Democratic Party still believed in protecting religious freedom.

While I would love to believe the Democrats are still interested in protecting conscience rights, it is pretty hard to believe when their bill takes steps to prevent providers from claiming protection under the Religious Freedom Restoration Act. Why would you include such a provision in your legislation unless you intended to make sure that healthcare providers could not cite their religious faith to ensure that they are not forced to participate in abortions?

With the legislation before us today, Democrats aren't attempting to codify some widely held consensus on abortion; rather, they are attempting to codify the most extreme views of the extreme pro-abortion lobby, make no mistake about it.

It is pretty sad that the Democratic Party has come to this. The party that has historically portrayed itself as the defender of the little guy is now the party seeking to deny even the smallest protections to the littlest and most vulnerable guys and girls among us, unborn human beings. But, hey, I guess Democrats can at least claim that they are standing up for the abortion industry.

I believe that we are better than this. We have to be better than this.

I hope that not only Republicans but some of my Democratic colleagues will stand up today and say that we can do better than a law that rips away even the smallest protections for unborn Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUJÁN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I ask for one minute before the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. I find it just very frustrating to hear from my colleagues on the other side of the aisle about how we are extreme because we are supporting a woman's freedom to make her own reproductive health decisions. That is the vote today. The vote today is about who decides, who decides under Roe v. Wade when the third trimester—which, by the way, abortions can only be done to save the life of the health of the mother—who decides that? The people on this floor? The Republicans who think it is their right to decide it? Who decides it? The United States Supreme Court? Who decides in the most personal decisions—and sometimes those agonizing decisions—a woman will ever have to make, the question is: Who decides? Fifty years of freedom is what we are talking about. Republicans eliminating with this vote. Fifty years of freedom for women to decide what we need to do as it relates to our own healthcare and reproductive freedom.

So I strongly support the women of this country. I believe in them. I believe in us. I trust them. I trust us. And this is about their choice, not a bunch of politicians deciding what is best for them.

I yield the floor.

VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to discharge.

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 51, nays 49, as follows:

[Rollcall Vote No. 167 Ex.]

#### YEAS—51

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

#### NAYS—49

Barrasso	Grassley	Risch
Blackburn	Hagerty	Romney
Blunt	Hawley	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Scott (FL)
Capito	Johnson	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Graham	Portman	

The motion was agreed to.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The nomination is discharged and will be placed on the calendar.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 848, Alvaro M. Bedoya, of Maryland, to be a Federal Trade Commissioner for the term of seven years from September 26, 2019.

Charles E. Schumer, Jacky Rosen, Cory A. Booker, Elizabeth Warren, Benjamin L. Cardin, Patty Murray, Brian Schatz, Robert P. Casey, Jr., Margaret Wood Hassan, Alex Padilla, Amy Klobuchar, Tina Smith, Jeff Merkley, Jack Reed, Angus S. King, Jr., Chris Van Hollen, John W. Hickenlooper, Richard J. Durbin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Alvaro M. Bedoya, of Maryland, to be a Federal Trade Commissioner for the term of seven years from September 26, 2019, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 168 Ex.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—50

Barrasso	Graham	Portman
Blackburn	Grassley	Risch
Blunt	Hagerty	Romney
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Toomey
Cruz	McConnell	Tuberville
Daines	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

The Senate being evenly divided, the Vice President votes in the affirmative.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Alvaro M. Bedoya, of Maryland, to be a Federal Trade Commissioner for the term of seven years from September 26, 2019.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The Senator from Minnesota.

#### WOMEN'S HEALTH PROTECTION ACT

Ms. KLOBUCHAR. Mr. President, I come to the floor today at a pivotal time for women's rights in this country. I want to thank Senators BLUMENTHAL and MURRAY and many others, including Senator BALDWIN, for their leadership on this issue and on the Women's Health Protection Act.

We learned last week that it is very likely that the Supreme Court will overrule Roe v. Wade. The leaked opinion made it clear. It means the Supreme Court is on track to completely overrule Roe, stripping women of their constitutional right to seek an abortion. It will also be, I note, against the wishes of the somewhere between 70 and 80 percent of Americans who believe that this is a decision that should be made between a woman and her doctor—not with Senator CRUZ, not a bunch of politicians in Washington, but a decision that should be made between a woman and her doctor.

Fifty years stripped away of women's rights, and the fall will be swift. Over

20 States already have laws in place that could be used to restrict access, including 13 which will automatically go into effect if the Supreme Court issues the decision. We have also seen States preparing to take even more extreme steps if Roe is overturned. Last week, Republican lawmakers in Louisiana advanced a bill to immediately classify abortion as homicide and allow the State to prosecute women—prosecute women—for receiving care. Earlier this year, a bill was introduced by Republican legislators in Missouri to allow private citizens to sue people who help women leave the State to get care. This comes on top of the 19 States that already have laws in place to ban or restrict access to medication abortion.

What this all comes down to is a fundamental question: Who is making these personal decisions—politicians or a woman? And are women equal citizens under the law? If Roe is overturned, women in this country will receive different treatment under the law than men, and our access to critical care will be at the mercy of a patchwork of laws.

We have all seen what happens on the ground when these kinds of restrictions are enacted. Texas's law last year denies access to at least 85 percent of patients seeking abortion-related services. Some women in Texas have had to drive nearly 250 miles one way to get care. No one should have to take a bus across the country to make a personal healthcare decision. A woman in Louisiana or in Missouri or in Texas should not be treated differently than a woman in Minnesota.

While we are all deeply disturbed by the impact this decision will have on women and the men who stand with them, unfortunately, many of us have seen this coming. Republicans have been methodically preparing for this moment, stacking the courts with judges who want to overturn Roe and introducing over 500 bills in States across the country limiting access to care.

While this is still a draft decision, I am seriously concerned that the Court's apparent willingness to disregard nearly 50 years of rights will not only put women's health at risk but will undermine the rule of law.

This draft leaked opinion brings us back to the fifties. The issue is, we always thought it would be the 1950s when it is truly the 1850s. The people of this country do not want to go backwards when it comes to their freedoms, because that is what this is about—their freedom to make their own decisions.

So what can the Senate do in the face of this threat to freedom? All three branches of the government have a responsibility to protect people's rights, and if one branch doesn't do its job—that is how this system was set up constitutionally—then it is up to another to step in.

Congress must act to codify the principles of Roe v. Wade into law, and we